



New York State Unified Court System

Office of Court Administration • Counsel's Office

Hon. Joseph A. Zayas
Chief Administrative Judge

Hon. Norman St. George
First Deputy Chief Administrative Judge

David Nocenti
Counsel

February 7, 2025

BY ECF

Hon. Mary K. Vyskocil
United States District Court
Southern District of New York
500 Pearl St., Rm. 2230
New York, NY 10007

Re: Lakrout v. NYS Unified Court System
S.D.N.Y., 24 cv 7789 (MKV)

Dear Judge Vyskocil:

This Office represents defendants New York State Unified Court System (“UCS”); the Hon. Milton Adair Tingling, and Christopher DiSanto in this action. In accordance with the Court’s Individual Rules of Practice in Civil Cases defendants respectfully request additional time to submit the proposed motion to dismiss, granted by the Court in its February 6, 2025 Scheduling Order (ECF #32). By the Court’s Scheduling Order, the motion is due next week February 13, 2025. Defendants respectfully request an extension of time because the undersigned will be out of the country after today, returning February 24, 2025, and there was a misunderstanding of the Court’s prior Order, dated January 2, 2025.

On January 2, 2025, Defendants requested an extension of time to answer or otherwise move to dismiss the amended complaint (ECF #28). The same day, January 2, the Court endorsed Defendants’ request, stating, in pertinent part: “Defendants shall respond to the amended complaint on or before February 3, 2025. Pursuant to this Court’s Individual Practice Rules, **parties wishing to file a motion to dismiss, must request a pre-motion conference with the Court prior to filing any motion.**” Accordingly, this Office believed that a further request was needed before making any such motion and that a conference would be held and or further direction would be given to the parties on next steps, which is why no motion has been made nor is otherwise prepared to be filed. Such request for leave, as directed by the Court’s Scheduling Order, was timely submitted on January 31, 2025.

Now, the Court having granted such leave also has granted only until February 13, 2025 to file such motion. Due to a previously planned leave until February 24, the undersigned is not available to prepare and file the proposed motion. Defendants respectfully request until March 13, 2025 to file the proposed motion. Plaintiff does not consent to the request.

Thank you for your attention to this matter.

Respectfully submitted,

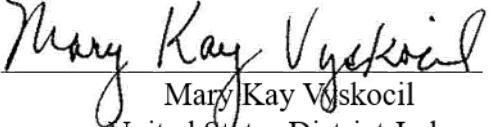
/S/
Michael J. Siudzinski
Assistant Deputy Counsel

cc: Bizer & Dereus, counsel for plaintiff, via ECF

The Court has reviewed both Plaintiff's and Defendants' submissions related to this request for an extension. Defendants' request for an extension to file their motion to dismiss by March 13, 2025 is HEREBY GRANTED. Further briefing shall be submitted on the schedule set forth in Local Rule 6.1(b).

SO ORDERED.

Date: 2/10/2025
New York, New York


Mary Kay Viskocil
United States District Judge